

Message Text

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DRAFTED BY EUR/WE:HGMOEN:JKB

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FM SECSTATE WASHDC

TO AMEMBASSY ROME IMMEDIATE

C O N F I D E N T I A L STATE 041933

E.O. 11652: GDS

TAGS: PINT, IT

SUBJECT: PUBLICATION OF EMBASSY DOCUMENTS

REF: (A) STATE 40593; (B) ROME 2726

1. IN CHECKING WITH DEPARTMENT'S FREEDOM OF INFORMATION (FOI) OFFICE ON ROME'S 13449, 12133, AND 17696 LISTED IN REFTEL B, WE HAVE LEARNED THAT ALL THREE CABLES WERE THE SUBJECT OF A FREEDOM OF INFORMATION CASE INITIATED LAST SUMMER BY EDWARD BECKER. IN THE FIRST INSTANCE, BECKER'S REQUEST FOR THEIR RELEASE WAS DENIED. WHEN THE DECISION WAS APPEALED, DEPARTMENT UNDER PROVISION OF E.O. 11652 AND FOI WAS COMPELLED TO RELEASE THEM, BUT WE DID SO MAKING THE FOLLOWING DELETIONS:

A. ROME 13449, DECEMBER 4, 1973: PARA 3 DELETED.

B. ROME 12133, SEPTEMBER 4, 1974: PARA 5 DELETED.

C. ROME 17696, DECEMBER 24, 1974: PARA 8, FIRST TWO SENTENCES DELETED; PARA 10, SECOND SENTENCE DELETED;
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PARAS 11, 12, 13, AND 14 DELETED.

2. FOI REQUIRES THE DEPARTMENT TO RELEASE THOSE PORTIONS

OF DOCUMENTS WHICH ARE NOT LEGALLY EXEMPT UNDER E.O. 11652 OR PROVISIONS OF THE ACT. THUS, DELETIONS WERE MADE AND THE REMAINDER RELEASED WHICH THE DEPARTMENT COULD NOT LEGALLY CITE AS DESERVING CONTINUING CLASSIFICATION UNDER E.O. 11652 AND THE FOI.

3. REGARDING PARA 4, REFTEL A, EMBASSY, IN VIEW OF FOREGOING, MAY ACKNOWLEDGE THAT THE TELEGRAMS IN QUESTION WERE PART OF AN FOI CASE AND MAY DRAW ON THE UNEXCISED PORTIONS OF THE CABLES TO REFUTE DISTORTIONS BY PANORAMA.

4. YOU SHOULD ALSO BE AWARE THAT BECKER HAS RECEIVED COPIES OF OTHER FAIRLY RECENT DOCUMENTS UNDER THE FOI ACT, WHICH DEPARTMENT WILL ASSEMBLE AND POUCH TO THE EMBASSY. AT THE SAME TIME, DEPARTMENT WILL BE LOOKING INTO POSSIBLE PROCEDURES TO KEEP BUREAUS AND POSTS INFORMED OF THE FINAL DISPOSITION OF FOI CASES. WE NOTE EMBASSY'S INFORMATION THAT PANORAMA APPARENTLY HAS SOMEHOW GAINED POSSESSION OF UNEXCISED COPIES OF THE CABLES WHICH IT DREW ON FOR ITS STORY. DEPARTMENT IS CHECKING FURTHER INTO THIS ASPECT OF THE CASE. INGERSOLL

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Margaret P. Grafeld
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